

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kenneth MC CHEUNG et al.

Serial No.: 10/648,158

Filed: August 25, 2003

For: Device for Correcting Spinal Deformities

Examiner: BECCIA, Christopher J
Group Art: 3775

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 CFR 3.73(b)

The University of Hong Kong certifies that it is a co-assignee of 75% of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 014865, Frame 0668, or for which a copy thereof is attached.

or

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: __ To:
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

[x] As requested by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

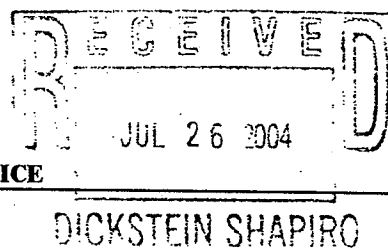
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 3, 2010

Name: Hua Gao (Reg. No. 40,414)

Title: Attorney of Record

Signature: /Hua Gao/



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 19, 2004

PTAS
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
CHARLES E. MILLER
1177 AVENUE OF THE AMERICAS
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NEW YORK, NY 10036-2714



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UNITED STATES PATENT AND TRADEMARK OFFICE
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/06/2004

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NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: V0690.0008/P008

ASSIGNOR:

CHEUNG, KENNETH M. ✓

DOC DATE: 12/03/2003 ✓

ASSIGNOR:

YEUNG, KELVIN W.K. ✓

DOC DATE: 12/04/2003 ✓

ASSIGNOR:

LU, WILLIAM W. ✓

DOC DATE: 12/04/2003 ✓

ASSIGNOR:

CHUNG, CY ✓

DOC DATE: 12/15/2003 ✓

ASSIGNEE:

HONG KONG, UNIVERSITY OF ✓
POKFULAM ROAD
, HONG KONG

DSMO FILE NO. V0690.0008

DUE: _____

C/L: _____

ENTERED BY: S. J. M.

ATTY: C. E. M. / J. M. F.

014865/0668 PAGE 2

ASSIGNEE:

CITY UNIVERSITY OF HONG KONG ✓
TAT CHEE AVENUE ✓
KOWLOON, HONG KONG ✓

SERIAL NUMBER: 10648158 ✓

FILING DATE: 08/25/2003 ✓

PATENT NUMBER:

ISSUE DATE:

TITLE: DEVICE FOR CORRECTING SPINAL DEFORMITIES ✓

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



01-13-2004



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Form PTO-1595

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Kenneth M. Cheung (12/03/2003), Kelvin W.k. Yeung
(12/04/2003), and William W. Lu (12/04/2003)
Cy Chung (12/15/2003)Additional name(s) of conveying party(ies)
attached?☒ Yes ☐ No

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: see Box 1, conveying parties

2. Name and address of receiving party(ies)

Name: University of Hong Kong
Pokfulam Road
Hong Kong

And

City University of Hong Kong
Tat Chee Avenue
Kowloon, Hong Kong

City: _____

State: _____

Zip: _____

Additional name(s) &
address(es) attached:☒ Yes ☐ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: _____

A. Patent Application No.(s):

10/648,158

B. Patent No.(s): _____

Additional numbers attached? ☐ Yes ☒ No5. Name and address of party to whom correspondence
concerning document should be mailed:Name: Charles E. MillerDICKSTEIN SHAPIRO MORIN & OSHINSKY LLPInternal Address: Atty. Dkt.: V0690.0008/P008

Street Address:

1177 Avenue of the Americas
41st FloorCity:
New YorkState:
NYZip:
10036-27146. Total number of applications and
patents involved: 17. Total fee (37 CFR 3.41) \$ 40.00☐ Enclosed☐ Authorized to be charged to deposit account☒ Authorized to be charged to credit card
(Form 2038 enclosed)

8. Deposit account number:

50-2215

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy
is a true copy of the original document.*Charles E. Miller

Name of Person Signing

[Signature]
SignatureJanuary 7, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 4

ASSIGNMENT

WHEREAS, WE, **Kenneth MC CHEUNG, Kelvin WK YEUNG and William W LU**, ASSIGNORS, citizens of United Kingdom, United Kingdom and Canada, respectively, residing at 27B Visalia Garden, 48 Macdonnell Road, Mid-Levels, Hong Kong, Flat C, 26/F, Building 5, Carado Garden, Tai Wai, Northern Territories, Hong Kong and 12 Sandy Bay Road, Hong Kong, are co-inventors with **CY CHUNG**, citizen of Hong Kong, residing at 19A, Tower 2, Lyttelton Garden, Lyttelton Road, Hong Kong, of the invention in **DEVICE FOR GRADUAL CORRECTION OF SPINAL DEFORMITIES** for which an application for United States Letters Patent has been executed by us of even date herewith; and

WHEREAS, The University of Hong Kong, ASSIGNEE, located at Pokfulam Road, HONG KONG is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, WE, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewal and reissues thereof;

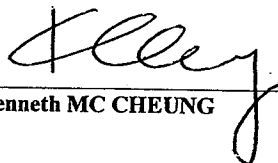
AND WE HEREBY authorize and request the Commissioner of Patents, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testifying in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 3 December, 2003


Kenneth MC CHEUNG L.S.

Witness:

Lee Min Huen
Printed Name

Lee S.
Signature

Date 4 Dec., 2003

Kelvin WK YEUNG L.S.

Witness:

Tse Mui Mui
Printed Name

An Ngo
Signature

Date 4 Dec., 2003

William W LU L.S.

Witness:

Wong Chi Tak
Printed Name

Jacky
Signature

ASSIGNMENT

WHEREAS, I, **CY CHUNG**, ASSIGNORS, citizens of Hong Kong, residing at 19A, Tower 2, Lyttelton Garden, Lyttelton Road, Hong Kong is co-inventor with **Kenneth MC CHEUNG, Kelvin WK YEUNG and William W LU**, citizens of United Kingdom, United Kingdom and Canada, respectively, residing at 27B Visalia Garden, 48 Macdonnell Road, Mid-Levels, Hong Kong, Flat C, 26/F, Building 5, Carado Garden, Tai Wai, Northern Territories, Hong Kong and 12 Sandy Bay Road, Hong Kong, of the invention in **DEVICE FOR GRADUAL CORRECTION OF SPINAL DEFORMITIES** for which an application for United States Letters Patent has been executed by me of even date herewith; and

WHEREAS, The City University of Hong Kong, ASSIGNEE, located at Tat Chee Avenue, Kowloon, HONG KONG is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner For Patents, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15th day of December, 2003.

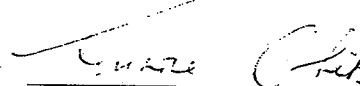
Date 15 December, 2003


CY CHUNG

L.S.

Witness:

CHIL HAI LING
Printed Name


Signature